

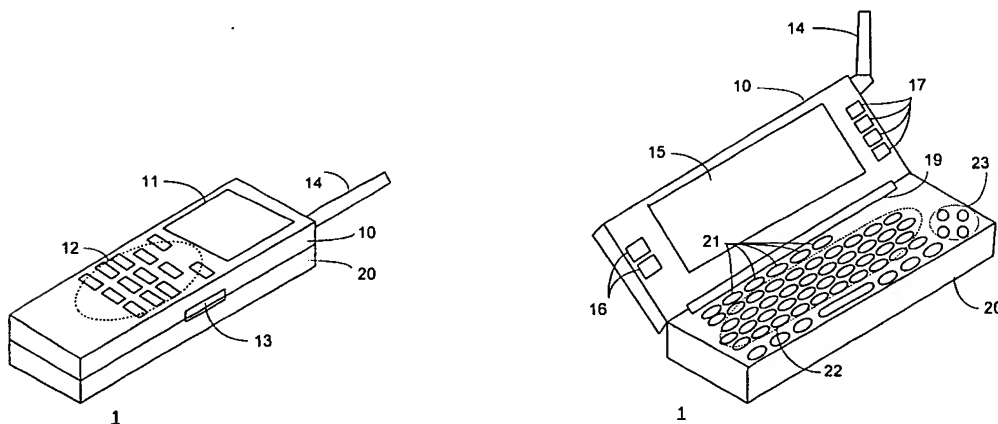
REMARKS

Claims 1-16 are pending and stand rejected for the reasons set forth in the Final Office Action of December 16, 2008. Claims 1, 7 and 15 are independent. All pending claims have been rejected on various grounds. In view of the clarifying amendments to claims 1 and 7 and for the reasons provided below, Applicant submits that all pending claims are allowable over the cited prior art.

Claims 1-11 and 13-16 stand rejected under 35 USC 103(a) as unpatentable over US 2003/0064758 to Mizuta et al. (hereinafter "Mizuta") in view of US 6,445,932 to Soini et al. (hereinafter "Soini"). Claim 12 stands rejected under 35 USC 103(a) as unpatentable over Mizuta in view of Soini as applied to claim 7 and further in view of US 6,094,565 to Alberth et al. (hereinafter "Alberth"). To avoid further confusion over the scope of the claims, Applicant has amended independent claims 1 and 7 to clarify an aspect of the invention that to date has seemingly gone unrecognized during examination. Claims 1 and 7 recite that both a main operation section and an auxiliary operation section are utilized to operate a single, main display section. Whether the main operation section or auxiliary operation section is utilized depends on whether the portable terminal unit is in the opened state or closed state.

Claim 1 requires in part, a portable terminal having "a single, main display section for displaying screens responsive to the operation of one of said main operation section and said auxiliary operation section" and "wherein, in the opened sate, said auxiliary operation section is inoperative and said main operation section is used to operate said main display section and wherein said auxiliary operation section is operative only in the closed state to at least one of navigate and view information displayed on the main display section in the closed state." The prior art, alone or in combination, does not renders obvious the claimed portable terminal.

The cited prior art is distinguishable from the claims. The Examiner relies on Soini as allegedly disclosing “that the auxiliary operation section is inoperative in the opened state . . . when it is not being used but operative in the closed state when it is being used.” Office Action at 3. However, while Soini may show two operation sections, it does not disclose a single main display that is operated by either the auxiliary operation section or main operation section depending on whether the portable terminal is closed or opened. Rather, Soini shows (see Fig. 1, which is reproduced below, left hand side) a mobile device 1 that has two folding sections. On the first section, as shown in Fig. 1, there is disposed a display 11 that is operated or controlled by keyboard 12. On the second section (see Fig. 2, which is reproduced below, right hand side), there is a second display 15 that is controlled or operated by multiple sets of keys (application keys 21, Qwerty keys 22, arrow keys 23). In Soini, keyboard 12 controls display 11 and the multiple sets of keys associated with the second section, as shown in Fig. 2, control the separate or second display 15. There is no discussion or suggestion that the keys from the first section may be used to control the display on the second section or that the keys on the second section may be used to control or operate the display on the first section. For example, keyboard 12 does not operate or control display 15; keyboard 12 only controls or operates display 11.



For all intents and purposes, the first section and second section operate as independent devices. Soini explains that a latch 13 makes the second section, including display 15 and its keys unavailable when the device 1 operates as a mobile phone. ,” Soini at Col. 4, lines 3-7 (“when multi-service mobile station 1 is in its mobile telephone position, cover section 10 and base section 20 are **locked together** with latch 13). When device 1 is unlatched and opened, operation transfers to the second section having its own keys an own display 15 as shown in Fig. 2. As a result, there is no risk that a user could improperly operating a key by moving the device between the opened and the closed states, unlike the risk that the claimed device addresses. See Applicant’s Published Application US 2004/0235540 at [0022] (“when the user opens or closes the housings with his hands, it is also possible to prevent him from causing he erroneous operation by pressing down the auxiliary operation section erroneously”).

Furthermore, Soini never expressly states that the keyboard 12 from the first section is rendered inoperative. Soini merely states that when the device 1 is opened as shown in Fig. 2, the terminal position, “the microphone and/or loudspeaker . . . used in the mobile telephone position [Fig. 1] are switched off.” Soini at Col. 5, lines 35-40. In other words, there is no express disclosure that any of the keys in Soini are rendered inactive depending on whether the device 1 is in the closed state (Fig. 1) or the opened state (Fig. 2). The Examiner’s only support is based on an improper reading of the language of claims 11 and 13 that state that the first or second “user interface” is switched off. The Examiner reads that as including the keyboard. However, that is inconsistent with the specification as just explained and inconsistent with claim 12, which depends from claim 11, and recites that the “second user interface comprises a microphone and a loud speaker.” The keys are never mentioned in the specification or the claims.

However, even if we assume that Soini discloses deactivating the keys, which we do not, Soini does not teach the claimed mobile terminal. That is, Soini does not disclose the claimed elements of “a **single, main display** section for displaying screens responsive to the operation of one of said main operation section and said auxiliary operation section” as recited in claim 1. Furthermore, Soini does not disclose “wherein, in the opened state, said auxiliary operation section is inoperative and said main operation section is used to operate said main display section and wherein said auxiliary operation section is operative only in the closed state to at least one of navigate and view information displayed on **the main display** section in the closed state,” as recited in claim 1. As explained, in Soini, each section has its own display and its keys for controlling that display. The keys of one section do not and cannot control the display of the other section. Thus, the combination of Mizuta and Soini cannot render claim 1 obvious.

Moreover, the combined references do not disclose a first housing having both the main and auxiliary operation sections. For this additional reason, claim 1 is allowable over the cited prior art.

Claim 7 is similar to claim 1 in covering a portable terminal having a single main display that is operated by either the auxiliary operation section or main operation section depending on whether the portable terminal is closed or opened. Like claim 1, Soini does not disclose a portable terminal of claim 7 having, inter alia, “a single, main display section for displaying screens responsive to the operation of one of said main operation section and said auxiliary operation section, and provided on said second housing” and “wherein said at least one key [of said auxiliary operation section] is inoperative in an opened state and said main operation section is used to operate said main display section, and wherein said at least one key [of said

auxiliary operation section] is operative to operate said main display section only in the closed state.” For the same reasons, the combination of Mizuta and Soini cannot render claim 7 obvious.

Claim 15 has not been amended. However, the Examiner did not fully appreciate the entirety of claim 15. Claim 15, like claims 1 and 7, covers a portable terminal having a main display operated by main section and an auxiliary section depending on whether the portable terminal is in the opened or closed state. In this regard, Claim 15 recites “main keys for the main display section” and “an auxiliary section for the main display section.” Claim 15 further recites “wherein when the first housing is moved from the closed position to the opened position, the main display section is kept active while the auxiliary section for the main display section is switched from the active to inactive.” As discussed this aspect is not disclosed or suggested in the combination of any of the cited references including Soini and Claim 15 is therefore not rendered obvious.


The remaining claims, claims 2-6, 8-14 and 16, depend directly or indirectly from one of independent claims 1, 7 and 15, and are allowable for at least the same reasons those independent claims are allowable.

For the reasons set forth above, Applicant respectfully submits that this patent application, as amended, is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested. The Examiner is urged to telephone Applicant's undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time

required to make this response timely. Kindly charge any additional fee, or credit any surplus, to
Deposit Account No. 50-0675, Order No. 848075-0059.

Respectfully submitted,

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John C. Garces
Reg. No. 40,616
Schulte Roth & Zabel, LLP
919 Third Avenue
New York, NY 10022
Tel.: (212) 756-2215